

## The Standard.

## LEGISLATURE OF NORTH-CAROLINA.

## SENATE.

The Senate met at 11 o'clock, and was opened with prayer by Rev. Dr. Mason.

The Journal of yesterday was read and approved. Mr. W. W. Ruffin presented a memorial from the citizens of the State, praying for the removal of the State Capitol to Raleigh. The memorial was referred to the committee on the State Capitol.

Mr. Bledsoe, from the committee on claims, reported a resolution in favor of John Pate, recommending its passage also a bill authorizing Jas. H. Allen, late sheriff of Brunswick, to collect arrears of taxes, recommending its passage with certain amendments.

Mr. Lane, from the committee on propositions and grievances, reported a bill authorizing the survey of Wm. Pollock, late sheriff of Jones county, to collect arrears of taxes, with amendments recommending its passage, also a bill to amend the revised Code in regard to pilotage, recommending its passage.

Mr. Humphrey presented a resolution requesting the Judiciary committee to inquire into the expediency of suspending temporarily the execution law.

Mr. Wheeler, a resolution calling on the State Treasurer for information in regard to the sale of State bonds. Adopted.

Mr. Sharpe, a bill to provide for the prosecution of works of Internal Improvements. Passed first reading and referred to the committee on internal improvements.

Mr. Stowe, a bill to complete the Wilmington, Charlotte and Rutherford Railroad, and to amend its charter. Ordered to be printed and referred to the committee on internal improvements.

Mr. Faison, a bill to construct a Railroad from some point on the Wilmington and Weldon Railroad to some point at or near the town of Fayetteville. Ordered to be printed and referred to the committee on internal improvements.

The following engrossed bills and resolutions from the House were read and referred to appropriate committees:

A resolution in favor of Jonas Jenkins of Jackson county.

A bill to alter the time for opening the polls in the towns of Salisbury, Lexington and Nashville. Referred to the committee on propositions and grievances.

A bill to authorize the survey of J. H. Holland, sheriff of Haywood, to collect arrears of taxes.

A resolution in favor of the survey of William Green, late sheriff of Haywood county.

A bill to lay off and establish a new county by the name of Clay. Referred to the committee on propositions and grievances.

A resolution in favor of the survey of G. W. Glass, late sheriff of McDowell. Referred to the committee on propositions and grievances.

A bill to refund moneys improperly collected from the banks of the State. Referred to the committee on the judiciary.

A resolution in favor of Cooper Prince and John H. Harward. Referred to the committee on propositions and grievances.

A resolution in favor of Leah Coleman. Referred to the committee on propositions and grievances.

Mr. Avery introduced a bill to authorize the survey of George W. Glass, late sheriff of McDowell county, to collect arrears of taxes. Referred to the committee on propositions and grievances.

The hour of 12 o'clock having arrived, the special order, the bill introduced by Mr. Brown on yesterday, were taken up.

Mr. Brown said, that having learned that the committee on federal relations would report on to-morrow, he had consented to the postponement of the question before the Senate, at the suggestion of friends. He moved that the resolutions be made the order of the day for to-morrow at 12 o'clock.

Mr. Avery moved to lay the resolutions on the table.

Messrs. Brown and Thomas of Davidson, requested the Senator to withdraw his motion for a moment.

Mr. Avery said he could not do so; that he meant no disrespect to the gentlemen, but only wished to cut off collateral debate, which consumed so much time in the Senate.

The Senate refused to lay on the table, 15 voting in the affirmative, 26 in the negative.

The question recurring on the motion of Mr. Brown, it prevailed, and the resolutions were made the special order for to-morrow 12 o'clock.

The resolutions on the same subject introduced by Mr. Thomas of Davidson, were, at his suggestion, referred to the committee on federal relations.

The engrossed bills and resolutions received from the House then passed respectively their first and second readings.

The bill to amend the first chap. sec. 20th Revised Code, passed its 2d and 3d readings, and was ordered to be engrossed.

A message was received from the House transmitting the report of the President of the Bank of Charlotte, which was referred to the committee on banks and currency, and ordered to be printed.

The resolution in favor of John Pate passed its second reading.

The bill in favor of J. H. Allen, late sheriff of Brunswick county, passed its second reading.

A message was received from the House transmitting a resolution, asking the opinion of the Supreme Court as to whether the Legislature had a right to call a convention by less than a two thirds vote.

Mr. Avery moved the resolutions be laid on the table.

Not adopted—11 voting in the affirmative, 27 in the negative.

Mr. Barringer thought this resolution premature; that perhaps Senators might all agree on the question therein set forth after the report of the committee on federal relations had been made.

Mr. Brown thought the Supreme Court should be consulted, though he would not consider himself bound by its decision.

Messrs. Erwin and Turner then addressed the Senate.

Mr. Bledsoe said that he would recognize no party tie in making his decision on these vital questions; that he was in favor of calling a Convention, but would stand by the Union so long as North-Carolina's rights were recognized, and her honor untouched and untarnished; that in that event he would turn his back upon the Union, but not until every honorable means had failed to bring about good feeling in the Union.

Mr. Dockery expressed himself as holding the same views.

The debate was protracted for some time by these Senators and Messrs. Brown and Dobson, and on motion of Mr. Brown, the resolutions were postponed until the report of the committee on federal relations should have been made.

On motion, the Senate then adjourned.

## HOUSE OF COMMONS.

The House met pursuant to adjournment. Prayer by Rev. Dr. Mason. Journal of yesterday was read.

By Mr. Siler, a memorial from the citizens of Macon county, praying for the removal of the State Capitol to Raleigh. Referred to the committee on the State Capitol.

The General Assembly, under the State constitution, to call a State convention for any purpose without the concurrence of two-thirds of each House of the General Assembly.

This resolution gave rise to considerable discussion, participated in by Messrs. Donnell and Ferebee in favor, and by Messrs. Fleming, Wright, Hill, Batcher and Person in opposition.

Mr. Mebane alluded to a precedent of the Legislature, asking the opinion of the Supreme Court in the case of a contested election.

Mr. Person moved to lay the resolution on the table.

Half a dozen voices demanded the yeas and nays, which were taken as follows:

Yeas—Messrs. Autry, Barrow, Batcher, Baxter, Branch, Bridges, Bullock, Byrum, Cannady, Cheek, Cline, Crawford, Davis of Bladen, Davis of Halifax, Davis of Mecklenburg, Ewell, Fagg, Faison, Ferguson, Fleming, Galloway, Hill, Jenkins, Kallum, Love of Haywood, Love of Jackson, McMillan, Mitchell, Mordecai, Padgett, Pearson, Person, Pope, Potts, Ransom, Shaw, Small, Speight, Stanford, Tapscott, Ward, Watson, White, Wilkinson, Williams of Cumberland, Williams of Nash, Williamson, Wishart, Woodard, and Wright—52.

Nays—Messrs. Albritton, Alfred, Barringer, Blue, Booth, Bowman, Burgin, Clark of Davidson, Carson, Coxley, Crumpler, Davis of Rutherford, Dickson, Donnell, Farrow, Ferebee, Gathier, Galloway, Gorrell, Guthrie, Hanes, Harris, Hayes, Henry, Howard, Horton, Jordan, Kelly, Latham, Liles, McCleese, Marsh, Martin, Meares, Mebane, Mendenhall, Merrimon, Newby, Patterson, Perkins, Pender, Polk, Rogers, Russ, Shober, Siler, Simon, Vaughn, Whitworth, Williams, of Pasquotank, Winslow and Yeates—52.

The Speaker voted in the negative, so the motion to lay on the table did not prevail.

The question recurring on the adoption of the resolution,

Mr. Ransom demanded the yeas and nays, which being taken resulted in the adoption of the resolution—yeas 53, nays 49.

Mr. Bowman, a resolution to send a message to the Senate, proposing to set apart next Saturday for the appointing of Justices for the several counties.

On motion of Mr. Foy, the resolution was laid on the table.

By Mr. Padgett, a resolution in favor of J. L. Ward, sheriff of Polk county. Referred to committee on claims.

By Mr. Ward, a resolution in favor of an increased tax on bank dividends. Referred to committee on finance.

Mr. Davis of Mecklenburg, presented the statement of the bank of Charlotte, which was sent to the Senate.

A message was received from the Senate transmitting the bill in favor of Geo. W. Glass—the bill was amended and sent back to the Senate.

Also, a bill to prevent the felling of timber in certain streams in Iredell county, which passed its first reading.

Mr. Fleming moved a reconsideration of the reference of a resolution of yesterday, in favor of Joseph H. Goochee. Agreed to.

Mr. Fleming offered an amendment, which was adopted, exempting estates of deceased persons, &c., from the operation of the resolution.

Mr. Martin to amend by inserting the name of Elsey Staley, sheriff of Wilkes, which was also adopted, when the resolution was read a third time and passed.

By Mr. Williams of Nash, a resolution to refund to James I. Harris, certain money paid as tax. Referred to the committee on the judiciary.

By Mr. Mendenhall, a bill to diminish costs in Equity sales for partition. Referred to committee on the judiciary.

By Mr. Ransom, a bill to allow the Raleigh and Gaston Railroad Company to increase its capital stock. Referred to committee on internal improvements.

By Mr. Jenkins, a bill to amend chap. 64, sec. 1, of the Revised Code, for the benefit of widows. Referred to committee on the judiciary.

By Mr. Foy, a bill to lay off a new road in the county of Onslow, to run from the head of White Oak River through White Oak Pocosin. Referred to committee on Cherokee lands and western turnpikes.

Mr. Liles, a bill to amend the 54th section of the 10th chapter of the Revised Code. Referred to the committee on the judiciary.

By Mr. Ferguson, a bill to pay tales jurors of Bertie county. To the committee on the judiciary.

Mr. Hill, from the committee on banks and banking reported back Senate bill for the relief of the banks and the people, and recommending its passage.

Foy introduced a bill to increase the pay of witnesses. To committee on propositions and grievances.

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Mr. Avery thought it utterly useless to send this commission to South-Carolina. If, however, it was sent, he wished to add another resolution.

The alternative resolution offered by Mr. Avery, denied the right of the General Government to coerce, or make war upon a seceding State.

Mr. Barringer addressed the Senate at length on Federal Relations, and opposed the resolutions.

Mr. Brown replied, defending the resolutions.

Mr. Turner offered an amendment to the amendment the following: "That no State shall without the consent of Congress lay any duty of tonnage—keep troops or ships of war, in time of peace, enter into any agreement or compact with another State, or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as not admit of delay. And that it is the duty of the General Government to collect (peaceably if it can, forcibly if it cannot) the duties due at each and every established port in these United States."

Mr. Barringer again addressed the Senate at considerable length, in reply to Mr. Brown of Caswell.

Mr. Avery addressed the Senate at length, opposing the resolutions, but urging if they were adopted at all, the adoption also of the amendment he had offered.

On motion of Mr. Morehead, the resolutions and amendments were made the special order for 12 o'clock to-morrow.

On motion of Mr. Stowe, the Senate then adjourned.

## HOUSE OF COMMONS.

House met pursuant to adjournment. Prayer by Rev. Dr. Mason.

By Mr. Ewell, a memorial from Celia Lynch, free negroess of Martin county, desiring to be permitted to enslave herself for life to Dr. John T. Watson. Referred to the committee on propositions and grievances.

Mr. Cline presented the proceedings of a public meeting at Catawba county, which were read and referred to the committee on federal relations.

REPORTS OF COMMITTEES.

Mr. Fleming from the committee on internal improvements, reported back the bill to amend the charter of the Western N. C. Railroad, with a substitute as an amendment, and recommended its passage.

Mr. Person, from committee on the judiciary, reported on the following:

The bill to amend an act entitled county revenue and charges, and asked to be discharged from its further consideration. Agreed to, and the bill was referred to committee on finance.

The bill to amend chap. 34, sec. 16th and 17th of the Revised Code, and recommend that it do not pass.

The bill for the relief of the people, recommending it do not pass.

The bill to amend an act extending the jurisdiction of the county courts of Randolph and Granville, so as to embrace Chatham, recommending its adoption, and against the substitute making the bill general in its application.

The bill for the appointment of special magistrates, recommending its adoption, and against the substitute making the bill general in its application.

The bill to extend the time for registering deeds and grants, that it do not pass.

The bill for reading the judicial records of the courts in this State, amended by substituting "minutes" for "records," and that it do pass.

The bill to amend the chapter of the Revised Code entitled Widows, that it do not pass.

A bill concerning county taxes, asking to be referred from its further consideration, which was agreed to, and the bill was afterwards referred to the committee on finance.

The bill to amend the Revised Code, chap. 34, sec. 27, concerning the sale of liquor, that it do not pass.

The bill to amend the Revised Code, chap. 107, sec. 66, concerning the having of fire arms by free negroes, with amendment, and recommending its passage.

Mr. Meares presented the proceedings of a public meeting in Brunswick, which were read and referred to committee on federal relations.

Mr. Person from the joint select committee on federal relations, made a majority report, with a bill providing for the call of a convention of the State to meet on the 15th day of February, 1861, the delegates to which are to be elected on the 7th day of the same month, and restricting the convention to the consideration of matters pertaining to our federal relations.

Mr. Mebane from the same committee made a minority report, against hasty action in calling a State convention, and generally in favor of conservative action.

(The Reporter could not get a copy of the reports, as they were sent to the printer before the House adjourned.)

Mr. Person moved that the reports be printed and made the special order for Tuesday next, 18th inst.

Mr. Rogers moved to amend by substituting January, 1861.

Mr. Crumpler moved to amend the amendment by substituting Monday next.

On these amendments considerable discussion arose, in which Messrs. Mendenhall, Mebane, Ferebee, Merrimon and Wilkinson, argued in favor of the propriety of postponing action until the bill shall be printed and in the hands of members and until the Christmas holidays be past; and Messrs. Person, Folk, Potts, Hill and Fleming advocated the necessity of early action.

Mr. Wilkinson said he expected to vote for the amendment of the gentleman from Wake, and the reason for thus voting is, my people meet next Tuesday for the purpose of giving an expression of sentiment in regard to this matter, and I want to hear from them before I am called upon to vote upon this matter.

Mr. Crumpler explained that he moved to substitute Monday in order, if it were to be discussed next week, he preferred to begin early in the week.

Mr. Person asked a division of the question, and the question to print being put, it was carried.

The latter clause being the substitution of "7th January" for "Tuesday next" (Mr. Crumpler having withdrawn his amendment.)

Mr. McCleese called for the yeas and nays, which being ordered, resulted, yeas 54, nays 53. So the amendment was not carried.

Messrs. Folk, Fleming, Bridges, Faison and Lemmons, made explanations in answer to a remark of Mr. Mendenhall, in the earlier part of the discussion, concerning the concocting of resolutions in Raleigh for the adoption of County Conventions, repelling the insinuation so far as their counties were concerned.

Mr. Ferebee moved to lay the report on the table. Not carried, yeas 51, nays 51, the Speaker voting in the negative.

Mr. Hayes hoped the House would not precipitate action on the report of the committee.

Mr. Gorrell was in favor of postponement, and gave his reasons therefor.

Mr. Slade moved to amend, by making the report the special order for the day on which the printed report is laid before the House.

Mr. Merrimon moved to amend the amendment, by inserting two days after it is received.

Mr. Slade withdrew his amendment, which carried with it that of Mr. Merrimon.

Mr. Marsh moved to substitute January 3d for Tuesday.

Mr. Mendenhall demanded the yeas and nays, which being ordered, resulted yeas 56, nays 52. So the report was made the special order for January 3d, 1861.

Mr. Person raised a point of order. The last vote adopted the amendment, but not the main question. The Chair decided that Mr. Marsh's motion was to substitute, and had been adopted.

Mr. Taylor moved to adjourn. Not agreed to.

Mr. Hill insisted on the point of order raised by Mr. Person. Explanations ensued, and the point of order was withdrawn.

## REPLY OF MR. BROWN, OF CASWELL, TO MR. AVERY, OF BURKE.

In the Senate on the Memorial and Resolutions of a portion of the citizens of North-Carolina, and an action in relation to Federal affairs, and for other purposes therein named.

Mr. Brown said, in rising to reply to the Senator from Burke, he must again allude to the Senator, by explicitly denying and disclaiming the denunciatory language which he persistently imputes to him, notwithstanding his entire disclaimer of any such purpose in his opening remarks.

He would not do what might be injustice to the Senator, by imputing to him any such purpose as a wish to distinctly state, that in addressing the Senate on that occasion, it was not so much for the purpose of opposing the views and opinions expressed by the memorialists—with some of which he coincided, and with others he differed—as to embrace an early opportunity of giving again expression to his sentiments on the present situation of public affairs, and especially after the extraordinary scenes which had transpired in the other wing of the Capitol last night, at a meeting over which the Senator had presided, and which was called for the purpose, as he understood, of hearing addresses from a portion of the Electors of the State, who had just cast their votes for Mr. Breckinridge and General Lane.

He had not charged the Senator's constituents with being disunionists; on the contrary, he had in his remarks attributed to them none other than patriotic motives. He had alleged disunion purposes against those who had at the meeting referred to, declared disunion sentiments, for existing causes at which the Senator was a conspicuous actor. The Senator had declared in his address, that it was the last electoral vote for President and Vice-President of the United States which would be cast in that Capitol, holding up before the assembled audience a Scarlet Cockade, and advertising at the same time disunion.

He, Mr. Brown, was compelled to take the declarations of gentlemen themselves, as the highest and best evidence of their intentions. Whatever guilt was attached, if guilt there was, arose not from any impeachment of his, but from their own open and public avowals.

Mr. Brown was indignant, that he (Mr. B.) had made allusion to his holding up to the assembled audience, while urging disunion, a similar Cockade to that which he was worn by his grand-father, when the citizens of Mecklenburg determined on Independence and resistance to George the III.—No one admired the intrepid patriots of that day more than himself. He regretted that the Senator had not imitated the example of his patriotic ancestor, and instead of using a relic of the house of Bourbon, by revolutionary associations, should have connected it with disunion. The gallant men of that day wore it as an emblem of devotion to the very principles of the government which we now live under and which they fought to establish. The Senator now uses it as an invocation, to uproot and pull down that government. They fought to establish the Independence of the United States, which the Senator seeks to destroy. They fought to overthrow British rule. The Senator seeks to accomplish the object most coveted by England, the overthrow of the Union. He recommended him to pause, before departing from the lessons bequeathed him by his ancestor, and before destroying that noble structure of government won by the valor of the men of the Revolution, to exhaust all constitutional means for redress in the Union, and when they fail, resistance, they will find an approving voice throughout the civilized world.

He (Mr. Brown), had repeatedly declared during the canvass, that wronged, grievously as we had been by the Northern States, that the election of a President of the United States formed no sufficient cause for dissolving the Union. He reiterated it again and again, and was most happy to perceive in the Lexington Statesman, that the gallant and distinguished Statesman of Kentucky, Mr. Breckinridge, so endorsed by Democrats, entertained the same views as the following article which he would read, was known to express his views. It is in these words:

"There is as yet no just cause for revolution or dissolution. The Union commands our cordial allegiance; to it we shall be loyal until its basis, the constitution, has been actually destroyed. Our people are as loyal and as patriotic as any people in the world, and as little disposed to submit to wrong and dishonor as any men who tread the soil of America. They will not permit themselves to be degraded nor their rights invaded, but they do not believe the time has come for revolution, and will yet cling to the Union with the devotion of the true sons of '76. To our Southern friends we would earnestly appeal to stand by the Union, and to support the policy before striking the fatal blow to the Union. Kentucky is a border State, and as such, the first and greatest sufferer by abolition ascendancy. Our State is a barrier of protection to the cotton States against anti-slavery aggressions. Our friends in the South can certainly bear the administration of Lincoln as long as we can. Then let them heed the voice of Kentucky, stand true to the Union and not exhaust all the resources of the South in a vain effort to destroy the Union. The friends of Kentucky—those men who are the support of Mr. Breckinridge, have given earnest of their fidelity to the rights of the South—will appeal to the South to give whatever movements are now in contemplation, and like patriots, uphold the constitution and the Union. Do this, and all may yet be well."

The doctrines of State's rights were almost an inheritance of Mr. Breckinridge. His grand father introduced in the Legislature of the State the celebrated Kentucky resolutions of '98 and '99, affirming the great right of State interposition to arrest the usurpations of the federal government. Was it right now on the part of those who had, when supporting our gallant leader, so strenuously denied that they considered the election of Lincoln a sufficient justification for dissolving the Union, now in so short an interval to face about and seek to accomplish that which they had so directly disavowed? Was it acting in good faith to the gallant Democracy of our State, who had so nobly rallied to our banner under these declarations, by such a sudden evolution to change position on this question? Was it just to the distinguished Breckinridge, with more or less of identity of sentiment, to make him and his friends, thus to aid in making good the charge so repeatedly made by his political enemies, and so often denied by his friends, that a large portion of the latter were aiming at that result? Was it just to the more than million of true hearted men in the North who had stood by us in the late election?

The Senator said that while he admitted that he, (Mr. B.), had declared in his public addresses made in support of Mr. Breckinridge, that the election of Lincoln was an insufficient cause for disunion, that he had said at the same time, if Lincoln was elected that a dissolution of the Union was inevitable. The Senator had misapprehended him. He had uttered no such expression any where or at any time. He had always believed that Lincoln would either break himself down, or the inevitable division of the party would break him down. What he had said during the canvass, was that while his mere election was not cause for resistance, that any aggression of his would undoubtedly break up the Union. The Senator, therefore, misrepresents him, (Mr. B.) and then constructs an argument and charge of inconsistency on the misrepresentation.

The question had been asked, what guarantees he would give against secession? He would give for answer, that he would require stronger guarantees for the more efficient execution of the fugitive slave law. Nullified as it had been by a number of the Northern States, he also thought an amendment to the Constitution should be required, prohibiting any future amendment to that instrument, which would let in the power of the federal government in any manner to affect the institution of slavery in the States. This he considered necessary to protect the States from danger hereafter from the rapid multiplication of free States, by which an amendment affecting slavery might be brought about, if supported by the requisite number of States required by the Constitution. He would also demand any other guarantees necessary for our safety and protection. If there was still a determined purpose to withhold those that were essential, he would by concerted action of the slaveholding States, seek that safety and protection which we had failed to find in the Union, out of it.